

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL NO. 1:07CR53

(Judge Keeley)

DEANTE DRAKE,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

On August 3, 2007, United States Magistrate Judge John S. Kaul entered a Report and Recommendation ("R&R") (dkt no. 71) that recommended that this Court deny defendant's motion to suppress. The R&R specifically warned that failure to object to the Magistrate's recommendations would result in the waiver of any appellate rights on this issue. On August 14, 2007, the Court conducted a hearing and granted the defendant an extension until August 24, 2007 to file objections to the R&R. Despite this extension, however, the defendant failed to file any objections.<sup>1</sup> Consequently, the Court **ADOPTS** the R&R in its entirety and **DENIES** the motion (dkt. no. 52).

It is so **ORDERED**.

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<sup>1</sup> Drake's failure to object to the Report and Recommendation not only waives his appellate rights in this matter, but also relieves the Court of any obligation to conduct a de novo review of the issue presented. See Thomas v. Arn, 474 U.S. 140, 148-153 (1985); Wells v. Shriners Hosp., 109 F.3d 198, 199-200 (4th Cir. 1997).

**ORDER ADOPTING REPORT AND RECOMMENDATION**

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The Clerk is directed to transmit copies of this Order to counsel of record, the Probation Office and all appropriate agencies.

DATED: January 9, 2008.

/s/ Irene M. Keeley  
IRENE M. KEELEY  
UNITED STATES DISTRICT JUDGE